

# DRAFT

**TOWN OF GILBERT  
PLANNING COMMISSION STUDY SESSION  
COUNCIL CHAMBERS  
50 E. CIVIC CENTER DRIVE  
GILBERT, AZ  
SEPTEMBER 6, 2017**

**COMMISSION PRESENT:** Chairman Kristofer Sippel  
Vice Chairman Brian Andersen  
Commissioner Carl Bloomfield (arrived at 5:08 p.m.)  
Commissioner David Cavenee  
Commissioner Greg Froehlich  
Commissioner Brian Johns (arrived at 5:08 p.m.)  
Commissioner Joshua Oehler  
Alternate Commissioner Seth Banda  
Alternate Commissioner Mary Harris

**COMMISSION ABSENT:** None

**STAFF PRESENT:** Ashlee MacDonald, Planner II  
Nichole McCarty, Planner II  
Gilbert Olgin, Planner II  
Amy Temes, Senior Planner  
Principal Planner Catherine Lorbeer

**ALSO PRESENT:** Attorney Nancy Davidson  
Council Liaison Brigitte Peterson  
Recorder Debbie Frazey

---

## **CALL TO ORDER**

Chairman Kristofer Sippel called the September 6 Study Session of the Planning Commission to order at 5:03 p.m.

- 1. Z16-17: HERITAGE DISTRICT RESIDENTIAL: CITIZEN REVIEW AND INITIATION OF AMENDMENT TO THE TOWN OF GILBERT LAND DEVELOPMENT CODE, CHAPTER I ZONING REGULATIONS, DIVISION 2 LAND USE DESIGNATIONS, ARTICLE 2.1 SINGLE FAMILY RESIDENTIAL DISTRICTS, 2.2**

Town of Gilbert Planning Commission  
Study Session September 6, 2017

**MULTI-FAMILY RESIDENTIAL DISTRICTS, 2.4 HERITAGE VILLAGE CENTER ZONING DISTRICT, 2.9 USE REGULATIONS, AND DIVISION 3 OVERLAY DISTRICT REGULATIONS, ARTICLE 3.4 HERITAGE DISTRICT OVERLAY ZONING DISTRICT, RELATED TO THE LAND USE AND SITE DEVELOPMENT REGULATIONS FOR RESIDENTIAL PROPERTIES LOCATED IN THE HERITAGE DISTRICT; AND DIVISION 4 GENERAL REGULATIONS, ARTICLE 4.2 OFF-STREET PARKING AND LOADING REGULATIONS RELATED TO PARKING.**

Ashley MacDonald began her presentation on Z16-17, Heritage District Citizen Review and Initiation of Amendment to the Town of Gilbert LDC. She indicated that when this had been before the Planning Commission previously, the Commission had initiated a couple of sections, but after further research, Staff determined that some of the sections they were looking at initiating, need to be expanded. She said that this amendment will provide additional flexibility for both Single Family and Multi-Family development districts, as well as the Heritage Village Center Zoning District and Heritage Village Center Zoning District Use Regulations. This amendment would also modify Division 3, the Heritage District Overlay Zoning District, as well as Off-Street Parking regulations.

Planner MacDonald said the goal of this text amendment is to encourage village living in the Heritage District, making it easier for existing landowners and residents and developers to begin to develop the Heritage District. She shared the project steps that have been completed thus far. She said they are looking at modifying the standards and the Design Guidelines to allow flexibility that will encourage redevelopment and reinvestment within the Heritage District. She shared a Heritage District Zoning Map, noting the locations of the Multi-Family zoning and the Single Family zoning areas that would be impacted by the text amendment. She also called attention to the location of the Single Family-Detached product. She said that Staff has received interest from the development community regarding development in the Heritage District and they have received interest in developing small Multi-Family developments. They have also had interest from homeowners that wish to redevelop and expand their property, by creating secondary dwelling units. Planner MacDonald said that due to the small lot sizes that exist in the Heritage District and the existing standards, the only way currently to expand a property, is to go through the variance process. She noted that the process is costly and burdensome for the individual homeowners.

Ashlee MacDonald shared that in September of last year, Town Council gave Planning Staff direction to initiate a text amendment to look at the standards within the Heritage District. In November of 2016, the Planning Commission initiated a text amendment. However, as research and drafting of new LDC language commenced, it was determined that the scope needed to be broadened and additional sections of code would need to be amended beyond those originally initiated. Planner MacDonald also informed the Commission that in February of 2017, they held an Open House for those that own property or live in the Heritage District. She indicated that

there were 26 people in attendance at the Open House and that Staff received some great feedback.

Ashlee MacDonald stated that they were looking to add a couple of sections, specifically regarding the Heritage District Overlay. She said that they want to look at the way in which the Design Guidelines apply to the Heritage District Overlay area. She told the Commission that Staff desires to expand what the Overlay District does. She said that property owners would keep their existing zoning, but within the Overlay District, they would allow some flexibility within the existing zoning districts. This flexibility might include a reduction in setbacks or application of alternate parking calculations to allow these properties to develop a little easier. She also shared that within the Single Family Zoning District, Staff desires to allow renovation of existing historic homes and increase the allowable lot coverage to encourage reinvestment in these properties, as well as allow secondary dwelling units and reduce the lot size to allow redevelopment of non-conforming lots. She said there are a number of lots within the Heritage District that are 3,000 square feet. She then discussed what they desire to change within the Multi-Family Zoning district, which included reducing setbacks in an effort to draw the eye to the street and enliven the Heritage District Area and allow different products such as the bungalow, court and courtyard. She shared that the next steps for the project would be taking these potential changes before the Redevelopment Commission for Study Session. After that, they will then bring them back to the Planning Commission for Study Session, followed by bringing them forward for Public Hearing. Tonight, Planner MacDonald indicated that they are requesting that the Planning Commission hold the Citizen Review and make a motion to initiate the text amendment.

Chair Sippel thanked Ashlee MacDonald for her presentation and called for questions or comments from the Commission.

Question: Chair Sippel asked if he needed a full motion, a second and a vote, or if he himself could move to initiate the text amendment.

Answer: Catherine Lorbeer recommended that Chair Sippel first invite any members of the public forward that would like to speak on the issue. She said he could then call or make a motion to initiate.

Chair Sippel asked if there were any members of the public that wished to speak on the proposed text amendment. Seeing none, he made a **MOTION** to initiate the LDC Text Amendment for Z16-17, Heritage District, seconded by David Cavenee; passed unanimously.

### **Motion passed 7-0**

Chair Sippel informed the audience that they would be changing the order of the agenda and hearing Item 7, Wireless Communication Facilities, Citizen Review and Initiation of Amendment to the Town of Gilbert LDC.

## **7. Z16-07: CITIZEN REVIEW AND INITIATION OF A TEXT AMENDMENT TO THE TOWN OF GILBERT LAND DEVELOPMENT CODE, CHAPTER I**

Town of Gilbert Planning Commission  
Study Session September 6, 2017

**ZONING REGULATIONS, DIVISION 4 GENERAL REGULATIONS, ARTICLE 4.7 WIRELESS COMMUNICATION FACILITIES, SECTIONS 4.701 THROUGH 4.706, ARTICLE 5.6 DESIGN REVIEW, SECTION 5.602 PROCEDURES AND RESPONSIBILITY, CHAPTER II DESIGN STANDARDS AND GUIDELINES AND THE GLOSSARY OF GENERAL TERMS, RELATED TO WIRELESS COMMUNICATION FACILITIES AND THE DEVELOPMENT REGULATIONS THAT GOVERN THEM.**

Nichole McCarty began her presentation on Z16-07, Wireless Communication Facilities. She shared a little about the project and the purpose behind it. She said that the goal is to support technology innovation in the Town of Gilbert and make sure that Codes and policies are designed to support the installation of new technology throughout the Town and to provide quality levels of coverage and services for residents of Gilbert. She said that the secondary purpose of the amendment was to be in compliance with new State legislation, House Bill 2355, which was passed in May, and went into effect in August. She said that Staff has until February 9, 2018 to put a process in place to comply with HB 2355.

Planner McCarty shared the project history, noting that it has been before the Planning Commission twice before. She informed the Commission that the scope has changed as a result of the legislation being passed, noting that the legislation being passed means that more of the Code will be impacted. She gave a quick overview of what Small Cell Wireless Facilities are, noting that they are short range mobile cell sites, used to complement larger macro sites. She said they enable stronger data coverage. She shared the industry standards for Small Cell Wireless Facilities. She shared some pictures of Small Cell Wireless Facilities. She said the goal of the Design Guidelines would be to conceal the Small Cell Wireless Facilities as much as possible, because they are allowed to be placed on streetlight poles and buildings. She shared that the legislation does allow for concealing them, as long as the requirements for concealing them aren't so prohibitive that they restrict the technology. She provided a quick summary of House Bill 2355, noting that the Bill only applies to wireless technology, and doesn't apply to other things in the right-of-way. Planner McCarty also shared that the Bill only applies to the right-of-way and PUE's and includes definitions, process and design. She shared that some of the legislation will impact the Planning Commission and the LDC, and some of the legislation will impact other Codes within the Town.

Nichole McCarty shared the definitions of Small Cell Wireless Facilities (as shown below):

Small Wireless Facility	<p>A wireless facility that meets both of the following qualifications:</p> <ul style="list-style-type: none"><li>a) All antennas are located inside an enclosure of not more than six cubic feet in volume or, in the case of an antenna that has exposed elements, the antenna and all of the antenna's exposed elements could fit within an imaginary enclosure of not more than six cubic feet in volume.</li><li>b) All other wireless equipment associated with the facility is cumulatively not more than twenty-eight</li></ul>
-------------------------	---

	<p>cubic feet in volume. The following types of associated ancillary equipment are not included in the calculation of equipment volume pursuant to this subdivision:</p> <ul style="list-style-type: none"> <li>i) An Electric Meter</li> <li>ii) Concealment Elements</li> <li>iii) A Telecommunications Demarcation box</li> <li>iv) Grounding equipment</li> <li>v) A power transfer switch</li> <li>vi) A cutoff switch</li> <li>vii) Vertical cable runs for the connection of power and other services.</li> </ul>
--	--

Planner McCarty shared the proposed modifications to the LDC (as shown below):

#### Summary of Proposed LDC Modifications

Code Location	Title	Description of Proposed Changes
Chapter I, Division 4, Article 4.7	Wireless Communication Facilities	<p>Section 4.702 Procedures – reorganize section and remove duplicative statements regarding procedures that are found in applicable tables. Update application section to reflect new application requirements.</p> <p>Section 4.703 Use and Development Regulations – Add “Administrative Design Review” as the new process for small wireless facilities. Modify tables to be organized by facility “category” and “type” instead of by zoning district.</p> <p>Section 4.704 Additional Development Regulations – Modify section regarding setbacks to clarify how to determine the setback distances and remove design related information to be modified and relocated to Chapter II of the LDC.</p> <p>Section 4.705 Required Findings – modify to include Administrative Design Review and add modified finding related to facility design.</p> <p>Section 4.706 Miscellaneous Provisions – may be modified after reviewing for current applicability</p>
Chapter I, Division 5, Article 5.6	Design Review	Section 5.602 Procedures and Responsibility – Add Administrative Design Review
Chapter II	Design Standards and Guidelines	Add new section for “Design Standards for Wireless Communication Facilities”
Appendix	Glossary of Terms	Update current Wireless related terms and add new terms to be consistent with legislation

Planner McCarty noted that the primary changes that would come forward in the Wireless section, would be reorganization of the section, a change in philosophy of reorganizing by category instead of by zoning district, modifications of additional development regulations in an effort to clarify how they determine certain things and how they measure setbacks. She shared that the newest change is that Small Cell Wireless Facilities will be processed through the Administrative Design Review process. She said that approving the process administratively, most closely resembles what the State legislation is requiring in the public right-of-way. She said they would also be adding the authority to approve these administratively in the Design Review portion. She said they would also be adding a new section in Chapter 2, for Design Standards for Wireless Facilities, as well as updating the Glossary of Terms to be consistent with the legislation. She shared the project deliverables, noting that the Planning Commission would be seeing the LDC updates and they would be asked to provide a recommendation to Town Council for these changes. Planner McCarty finished her presentation and asked that the Commission initiate the different sections of the Code amendment tonight, as well as conduct a Citizen's Review with any members of the public who wished to express their concerns on this proposed amendment. She said she would be bringing this back before the Commission on October 4<sup>th</sup>.

Chair Sippel called for questions or comments for Planner McCarty. He then asked if any members of the public were in attendance who would like to discuss Z16-07. Seeing no members of the public that wished to speak, he called for any further comments from the Commission. Seeing none, Chair Sippel made a **MOTION** to initiate a text amendment to the Town of Gilbert Land Development Code for Z16-07; seconded by David Cavenee; passed unanimously.

#### **Motion passed 7-0**

Chair Sippel told the members of the audience that they would now be proceeding in order through the rest of the agenda.

#### **2. GP17-1000, ANATOLE RESIDENTIAL: REQUEST FOR MINOR GENERAL PLAN AMENDMENT TO CHANGE THE LAND USE CLASSIFICATION OF APPROXIMATELY 13.4 ACRES OF REAL PROPERTY GENERALLY LOCATED AT THE NORTHWEST CORNER OF RAY ROAD AND LINDSAY ROAD FROM COMMUNITY COMMERCIAL TO RESIDENTIAL > 3.5-5 DU/ACRE LAND USE CLASSIFICATION.**

**Z17-1003, ANATOLE RESIDENTIAL: REQUEST TO REZONE APPROXIMATELY 13.4 ACRES OF REAL PROPERTY, GENERALLY LOCATED AT THE NORTHWEST CORNER OF RAY ROAD AND LINDSAY ROAD FROM APPROXIMATELY 13.4 ACRES OF COMMUNITY COMMERCIAL (CC) ZONING DISTRICT WITH A PLANNED AREA DEVELOPMENT (PAD) OVERLAY TO SINGLE-FAMILY-DETACHED (SF-D) ZONING DISTRICT WITH A PLANNED AREA DEVELOPMENT (PAD) OVERLAY.**

Ashlee MacDonald began her presentation on Item 2, GP17-1000 and Z17-1003, Anatole. She indicated that the request was for a General Plan Amendment and a Rezoning. She shared the location of the property at the northwest corner of Lindsay and Ray Roads. She said the property is currently vacant. She said the existing zoning on the site is Community Commercial (CC). She said that the surrounding area has residential zoning to the north, east and west, and the south is more commercial. She shared that the property is 13.4 acres. The General Plan Amendment request is to go from Community Commercial (CC) to Residential > 3.5-5 DU/Acre. The zoning request is to go from Community Commercial (CC) zoning to Single Family-Detached (SF-D) zoning. She shared the Master Site Plan, noting that the applicant was looking to develop a traditional single family type development. She indicated that the request is compatible with the adjacent residential development. She shared the location of the access points off of Ray Road and Lindsay Road. She informed the Commission that existing conditions would allow full motion on both of those roadways. She said that Staff is currently in 1<sup>st</sup> Review of this project. She said they have asked the applicant to verify that they can meet the spacing requirement from the nearby access point to the neighborhood to the north, as well as those across the street from Lindsay and Ray Road. She said this was a PAD request and that the applicant was requesting a number of deviations (as listed below):

#### **Project Data Table**

<b>Site Development Regulations</b>	<b>Required per LDC</b>	<b>Proposed</b>
Minimum Lot Area	3,000	<b>4,500</b>
Min. Lot Dimensions Width Depth	N/A	<b>45' 110'</b>
Maximum Building Height	36'/3-stories	<b>30'/2-stories</b>
Minimum Setback		
Front	10'	<b>10' to livable or side-load garage 18' to front load garage</b>
Side	0'/5'	<b>5'/5'</b>
Rear	10'	10'
Maximum Lot Coverage (%) Single Story Two/Three Stories	60% 50%	<b>65% 55%</b>

Planner MacDonald called attention to the fact that a number of these deviations reduce the intensity of development of this Single Family-Detached (SF-D) product, and some of the deviations increase the intensity of development. She then went through each of the requested deviations. She called attention to the request for minimum setbacks, noting that the applicant has requested an 18' driveway or an 18' setback to a front-loaded garage. She said that Staff has some concerns with that particular deviation request. Staff is concerned that vehicles could potentially overhang onto the sidewalk, so they have requested that this deviation request be modified to the standard 20' front-load garage. She also called attention to the request to

increase the lot coverage by 5% and asked for feedback from the Commission on that deviation request.

Ashlee MacDonald shared the site plan, noting the applicant had provided the minimum landscape requirement at arterial intersections of 50' x 250'. She said their primary Open Space was in the center of the development with the Tot Lot and they also have another Open Space area that would serve as retention. She called the Commission's attention to a path she had highlighted in red that the applicant had included. She noted the adjoining neighborhood, pointing out that there is an existing sidewalk that runs along the adjoining neighborhood that she had highlighted in blue. Staff is hoping that the applicant could coordinate with the adjoining neighborhood, Lindsay Meadows, to see if they could provide access to the existing sidewalk, rather than creating two parallel paths. She asked for feedback from the Commission about any concerns they might have about changing from Commercial to Residential in this area, as well as feedback about the deviation requests.

Chair Sippel thanked Planner MacDonald and called for questions or comments from the Commission.

Comment: David Cavenee referred to the statement that Planner MacDonald had made that this request had aspects that would increase the density and others that would decrease it. He said he only sees an increase in intensity. He said that going to a lot size of 4,500 from 3,000 sounds great, but then the lot coverage increases also. He said that troubles him. He said he doesn't see any site constraints or existing conditions that would warrant most of these changes. He said he believes the developer could design to Code and be just fine. He doesn't see the need to design to all these deviations from the Code. He said doing so would create a less dense development. He said he also agrees with Staff regarding the 18' setback to the garage. He said that would create problems with the sidewalk down the road. He said that in the past, the Commission has been committed to the minimum of 20'.

Comment/Question: Joshua Oehler said that his initial thoughts aren't just that they are increasing so much higher than the 3,000, but that they are asking for such a dense product in the first place. He pointed out that everything around the site is Single Family – 7 (SF-7) and greater. He said if the existing zoning was SF-7 and they were looking at increasing it, he would consider it, but he said this is starting at such a minimum level, he doesn't see the need for it. He thinks this is more of a dense product and doesn't understand the need for deviations. He is also concerned with the turning radius even though they say 110. He asked about the right-of-way's and asked if the sidewalks would be inside of those and if the property lines would go to the street. He also asked if they would be taking property lines all the way out. He said that when you make a turn, all of these are less than 110. He said he doesn't know what the radius ends up being, but he thinks they already have a design issue. He also said he wasn't sure how he feels about the one-sided streets. He questions how that is going to feel on the street, specifically stating his concern with Lots 28, 29, 30, 31. He said there would be a backyard fence and the other side of the street would just be a few trees. He said he hoped they would keep great vegetation. Regarding the addition of the Lindsay exchange on the 202, he asked if they have



concerned the possibility of additional traffic along Lindsay which might make the commercial site more desirable.

Answer: Ashlee MacDonald said that an analysis had been done of the site and that although there might be additional traffic, they believe the increased traffic will not have an impact as far north as the site. Due to this, Staff wasn't concerned with losing a commercial property in this area.

Comment: Joshua Oehler said he lived very near this area, noting that he personally would be driving all the way down Lindsay to access the 202. He thinks that drivers will choose to access the 202 there, as the 60 is too far north. He said he doesn't see a need for the deviations. He said he also wasn't keen on the higher density of the SF-D.

Comment: Carl Bloomfield thanked Ashley MacDonald for her presentation. He said that he was of the same opinion as the other Commissioners that had spoken. He said this seems to be too dense of a project for that corner and that area. He also questioned the need for deviations. He said he was not a fan of what was being proposed.

Question: Chair Sippel asked Planner MacDonald if they had received any input from the Chamber of Commerce. He said the Chamber normally weighs in on whether or not it is a good idea to go from Commercial to Residential.

Answer: Ashlee MacDonald said that they have not heard anything back from the Chamber at this point.

Comment: Chair Sippel said that if this were to become residential, he would agree with all of the Commissioners that had previously spoken, that this wasn't the right product to put in this area.

**3. DR17-1070, RIGGS EXTRA SPACE STORAGE: SITE PLAN, LANDSCAPING, GRADING AND DRAINAGE, BUILDING ELEVATIONS, COLORS AND MATERIALS, AND LIGHTING FOR APPROXIMATELY 6.45 ACRES, GENERALLY LOCATED AT THE SOUTHEAST CORNER OF EAST RIGGS ROAD AND SOUTH 164TH STREET, AND ZONED GENERAL COMMERCIAL (GC) WITH A PLANNED AREA DEVELOPMENT (PAD) OVERLAY.**

Gilbert Olgin began his presentation on DR17-1070, Riggs Extra Space Storage. He informed the Planning Commission that this was a Design Review application. He shared the location of the 6.4 acre site, noting that it is bordered by Riggs Road to the north. He said there is an existing church to the south and east of the site is Regional Commercial (RC) that is not developed. He also shared that to the west of the site is Constellation Way (also known as 64<sup>th</sup> Street) as well as a Single Family residential community called Adora Trails. He said the proposed site is undeveloped and vacant. He shared the Site Plan. He indicated that the owner's intent is to build an indoor, climate-controlled, public self-storage facility. The site will consist of two lots. The one that is closest to the Regional Commercial (RC), which is on the west side, will have the storage facility. He said the facility would be a 130 square foot, 2-story building.

He shared some additional building detail. He said they anticipate 900 total storage units inside the facility.

Planner Olgin said that Staff is still working on landscaping and other aspects of the site. He shared the two points of access. He said the property has a 50' flood control district easement on the north side, resulting in the property already being set back 50'. With the required setbacks, it would set them back even more. He also shared the north and east elevations, noting that there isn't a lot of articulation. He said there is some horizontal banding, but there is too much massing. He said that they have asked the applicant to look at the Design Guidelines and reconsider the design. He said that Staff is concerned that this comes across like an industrial site. He reminded the Commission that the site is vacant and that there isn't a lot of commercial development within proximity to the site. He said this property stands alone. He said he thinks the design needs to be broken up more, especially on the southwest side and on the east side. He said he thinks a lot more could be done to improve the site. He said that Staff also has some concerns about the exposed windows on the north side and the use of the green color. He shared the colors and materials. He said there are some awning covers in the front, but not much in the back. He said there is a rolling gate that exists on both sides of the building on the north and south sides. He said this is to provide access to the inside of the building. He requested input on the architecture, the style, and massing, as well as some input on the exposed interior. He showed an example of a similar project located in Scottsdale, which they had recommended to the applicant in an effort to improve the design. He told the Commission that the similar project was also built by the applicant and proves that they have the potential to put a very nice design together. He also noted that the sample design has extra design features that the proposed design does not.

Chair Sippel asked for any questions or comments from the Commission.

Question: David Cavenee asked if there would be a site perimeter fence.

Answer: Gilbert Olgin answered affirmatively.

Comment/Question: David Cavenee said that this fence would screen some of the three plain sides. He said personally he would like to see more articulation on the design, although he realizes it is a storage facility. He said he does think the three sides are a little plain, but he doesn't mind the green accent color inside the windows. He said he thinks adding a little splash of color is a benefit to this building and helps make the front elevation stand out. He asked Gilbert Olgin to show the elevations. He said he wanted to know where they would have signage if they were going to have signage. He asked how much of the elevation the signage might take up. He said the design has massive bands that aren't conducive to signage, but he didn't think those bands were meant to be used as sign bands. He said the applicant would need to consider signage as they continue forward.

Comment/Question: Joshua Oehler said that the design was pretty plain. He said the north side is getting close to what they would desire in a design, but every other side needs work. He said the example that was provided, even though this design wouldn't have to look exactly like that

one, showed movement in the building and it also has a height differential. He also asked if the Town has an issue with garage doors facing the right-of-way.

Answer: Gilbert Olgin said that in looking at the Code, he doesn't believe there is an issue with garage doors facing the right-of-way.

Comment/Question: Joshua Oehler said he remembers that when they have a use such as a mechanic shop, they try to turn the garage doors away from the right-of-way because it is such a dominating element. He agreed that the example Planner Olgin provided has a much better use of materials and colors. He said he isn't opposed to the splash of green. He said he realizes that this case concerns Design Review, but he asked if they should be discussing the site layout at this time.

Answer: Gilbert Olgin said that he had added the site plan for the Commission to see. He said that Staff did not have any major concerns with the site plan. Regarding the General Plan and the Rezoning, there was some question in regards to access points. He said they did sit down with the Town Engineers and they concluded that this design would be the best scenario. He said they would like to straighten it out, but it would not meet Code because it would be too close. He said he would be covering more of this detail in the Public Hearing case.

Comment/Question: Brian Johns said he agrees with Staff's concerns regarding the massing. He said there is a lot of mass. He also noted that the colors are very similar. He said he thought they could use a little more color blocking. He also said they could use a bit more articulation on the change in the height. He said the design looks very industrial looking. He also believes that the Design Guidelines don't allow an overhead door to be facing straight towards a right-of-way. He asked about the drive-thru down the middle. He asked if that was a one-way drive or if it was a two-way drive. He asked if you could get vehicles past each other.

Answer: Gilbert Olgin said he believed that the floor plans were in the Commission packets.

Comment: Brian Johns said he was looking at the floor plan, but he couldn't determine if two vehicles could get past each other.

Response: Gilbert Olgin said he believes that the drive aisle will fit two vehicles, but he said he could double check to confirm that.

Comment: Brian Johns said he was concerned if the drive was one-way or if a vehicle blocked another, it might create a circulation issue. He suggested they look into the width of the drive aisle. He said he was disappointed that they hadn't seen more of a Landscape Plan or a little more development with the plans. He said he wished they had a full package submittal. He said this project was not up to par with other projects they have approved in the past.

Response: Gilbert Olgin said that if this project were to be built as it is shown, you wouldn't see most of the banding at the bottom.

Comment: Brian Johns said he was going to bring that up. He said they have never used site walls as a design element for a building. He said they desire four-sided architecture that can stand on its own. He said people will experience this building inside the wall, so he said he can't see the wall as helping to shelter the building. The building should be able to stand out on its own per Design Guidelines.

Response: Gilbert Olgin thanked Commissioner Johns for his comments.

Comment: Brian Johns said that they didn't know what the site wall would look like.

Comment/Question: Greg Froehlich said he echoed his fellow Commissioner's comments regarding the project. He said he would certainly want more articulation on the building. He said the sample project that Planner Olgin had provided was a very good example. He thought they could use something like that design and it would be much better. He said he was fine with the green accent color. He asked for clarification that the spacing was fine on the driveways.

Answer: Gilbert Olgin said that the spacing was fine on the site plan.

Question: Greg Froehlich asked about the big open space and if it was a retention basin that would have landscaping in it.

Answer: Gilbert Olgin said that the portion that Commissioner Froehlich was referring to was a second lot. He said they would be discussing that during the Public Hearing. He said he was also asked by the Commission to list possible uses that would fit within that second lot and he would provide that information during the Public Hearing.

Question: Greg Froehlich asked if generally the landscaping would be along 164<sup>th</sup> Street and along Riggs.

Answer: Gilbert Olgin said that the landscape would encompass the entire site.

Comment: Vice Chair Brian Andersen pointed out that the other Commissioners had hit on some key points. He said he feels that the packet is incomplete and he finds it a little frustrating that it is being presented in an incomplete manner. He said there are questions about landscape, site details and site circulation. He said if they are going to have a checklist for Design Review, they need to have all applicants adhere to that. He said to be fair to all the applicants, they can't pick and choose what details they want to provide. He feels strongly that if the applicant wants to submit before the Commission, they need to have a complete packet.

Comment: Chair Sippel said he would agree with Vice Chair Andersen that what they were seeing was an incomplete packet, noting that this puts the Commission in a difficult position the next time the case comes before them. The Commission would then be asked to act on the case, without the ability to give full input into all of the design elements. He also noted that some concern had been brought forward from the community, so he informed the applicant that they would be pulling the other portion of this case off of the Public Hearing (Consent) Agenda. He further stated that some significant work needs to be done on this project. He believes with a few tweaks here and there, it could easily look like the sample Scottsdale project that Planner Olgin had shown the Commission.

**4. ST17-1007, MCQUEEN LANDING: FIVE (5) NEW STANDARD PLANS (PLANS 1518, 1519, 1520, 1522 AND 1523) BY CALATLANTIC HOMES FOR LOTS 1-90, ON APPROXIMATELY 12.2 ACRES GENERALLY LOCATED ON THE SOUTHEAST CORNER OF GUADALUPE AND MCQUEEN ROADS AND**

## **ZONED SINGLE FAMILY-DETACHED (SF-D) WITH A PLANNED AREA DEVELOPMENT (PAD) OVERLAY.**

Before Nichole McCarty began her presentation on ST17-1007, Commissioner Greg Froehlich declared a conflict of interest.

Planner McCarty began her presentation on ST17-1007, McQueen Landing. She shared the location of the site on the southeast corner of McQueen and Guadalupe Road. It is a 14 acre site zoned Single Family-Detached (SF-D) with a PAD. She shared the Development Plan that had been approved for 90 single family homes. She indicated that the homes are configured into 4- and 6- pack auto court clusters. She said this development is unique in that the homes along the main drive are required to face the street, so the view from the street will be of front doors and the auto courts will have the garage. She said all of the homes are 2-story. She said the applicant is proposing five standard plans with three elevations themes and a total of 12 color schemes. She shared the different themes: Spanish Colonial, Spanish Hacienda, and Mediterranean. She said she feels the applicant has done a good job in providing a variety of types of roofs. She said they have S-Tile roofs on all the homes. She pointed out that the Spanish Colonial has Juliette balconies and pot shelf accents. The Spanish Hacienda has a more sculpted wood gable, decorative tile surrounds and shutters. The Mediterranean has some arched entries and some brick accents. She shared each of the elevations for the different plans. She said that Staff was looking for some more articulation around the buildings. She said the buildings are very tight with only 10' between buildings, but Staff feels that shutters or an additional accent or materials would improve the design, especially on the lots where the elevations face the public. She then discussed lots 82 and 83, which are on the north side of the cul-de-sac, pointing out that these two lots can't meet the setback requirements, due to the curve of the cul-de-sac, without modifying the standard plans. On those two lots, they will be having a modified version of Plan 1519. These elevations will face the street instead of a front door elevation, so she indicated that Staff had requested that this elevation be enhanced a little more, as there are no decorative materials or shutters. She shared the development's street scene from the front and from the rear. She shared the different materials the applicant was proposing for each of the different styles. She also shared the colors for the different styles. She said that Staff had some concern about the colors on the Spanish Colonial. They thought they were a little too similar and lacking in variety. She indicated that Staff was pleased with the Spanish Hacienda and the Mediterranean. She stated that Staff had suggested the possibility of having a flat tile roof option because they are only offering S-Tile roofs. She then shared the 1<sup>st</sup> Review Comments that Staff had provided to the applicant. Planner McCarty finished her presentation and asked for input from the Commission.

Comment: Joshua Oehler said he was in full agreement with Staff's suggestions. He said the design could definitely use some accents. He suggested the possibility of moving one of the exterior walls to create some shadow lines or something to break up the massing. He said they appear very "cracker-jack" the way they are. He said he doesn't need it to be too ornamental, but he thinks it is a good idea to give the structure some different lines to it, to create interest in the mass of the building. He said he understands the design constraints because they are smaller lots, but said he would like to see more differentiation. He referred to Plan 1518B and said it had

more differentiation in the massing on the street side. However, he said the rest of the building was just a flat façade. He suggested using more design elements in the building.

Comment/Question: Vice Chair Andersen said he agrees with Staff and Commissioner Oehler, with the exception of the suggestion to change out some of the S-tile roofs with flat tile roofs. He asked the other Commissioners if they thought that flat tiles went well with the Spanish and Mediterranean themes.

Answer: Joshua Oehler said he believes the idea behind the suggestion to use flat tile roofs is to create some variety, but he does agree that going to a flat tile would feel kind of forced. He said maybe they could do some variation on the S-Tile instead, to provide this variation.

**5. Z17-1013: WHISPERING ROCK: REQUEST TO REZONE APPROXIMATELY 12.4 ACRES OF REAL PROPERTY GENERALLY LOCATED AT THE NEC OF CORONADO ROAD AND GERMANN ROAD FROM CONVENTIONAL SINGLE FAMILY 15 (SF-15) ZONING DISTRICT TO SINGLE FAMILY 10 (SF-10) ZONING DISTRICT WITH A PLANNED AREA DEVELOPMENT (PAD) OVERLAY TO MODIFY FRONT AND REAR SETBACKS, LOT COVERAGE AND MAXIMUM BUILDING HEIGHT.**

**S17-1006: REQUEST TO APPROVE PRELIMINARY PLAT AND OPEN SPACE PLAN FOR WHISPERING ROCK BY AV HOMES FOR 23 HOME LOTS (LOTS 1-23) ON APPROXIMATELY 12.4 ACRES OF REAL PROPERTY GENERALLY LOCATED AT THE NEC CORONADO ROAD AND GERMANN ROAD IN THE SINGLE FAMILY 10 (SF-10) ZONING DISTRICT WITH A PLANNED AREA DEVELOPMENT (PAD) OVERLAY.**

Nathan Williams began his presentation on Z17-1013 and S17-1006. He shared the location of the 12.4 acre site at the northeast corner of Coronado and Germann. He said that the applicant was not requesting any changes to the existing General Plan land use designation of Residential > 0-1 DU/Acre but the request is to change the zoning from conventional SF-15 to SF-10 with a Planned Area Development (PAD) overlay. They have also applied for a subdivision plat at the same time. He said the applicant is proposing 23 lots. He said they are proposing a single access private gated community. He shared the site history, indicating that in 2006 the Subdivision Plat was approved for a 16 lot subdivision within the SF-15 zoning district. He said that was a similar design but included more lots. The applicant is proposing 1-story homes and enlarged lots. He said this would be compatible with the surrounding large lot residential to the north and east. He shared the proposed deviations (listed below):

**Project Data Table**

<b>Site Development Regulations</b>	<b>Existing Conventional LDC SF-15</b>	<b>LDC Conventional SF-10</b>	<b>Proposed Development for Whispering Rock (Z17-1013) SF-10 PAD</b>
Minimum Lot Area (sq. ft. per DU)	15,000	10,000	<b>11,000</b>

<b>Site Development Regulations</b>	<b>Existing Conventional LDC SF-15</b>	<b>LDC Conventional SF-10</b>	<b>Proposed Development for Whispering Rock (Z17-1013) SF-10 PAD</b>
Maximum Building Height	35'/ 2-story	35'/ 2-story	<b>1-story only</b>

Planner Williams stated that initially Staff had a lot of concerns with the proposed deviations, but after consultation with the applicant, they are now only requesting two deviations. The applicant has requested to change the maximum building height from 2-story to 1-story only and wants to increase the minimum lot area for SF-10 from 10,000 to 11,000 square feet per DU. The minimum lot area for the existing SF-15 is 15,000.

Planner Williams stated that Staff still has some concerns with the overall design of the project. He pointed out the location of the landscape areas, the central Open Space, the peripheral landscape area on the corner, and a 10' wide track that would allow drainage flows from some of the large lots to the east onto this property. He said there are some existing site constraints that they need to work with. He also noted that Staff had provided comments to the applicant, that they feel that the Open Space and the grading and drainage on the site could be reworked in a manner that would combine Open Space areas and tract, so that the design wouldn't have the narrow areas that open up into an Open Space area that may or may not be useable and may or may not be highly visible. He said the 10' wide drainage tract between lots is something that Staff would not support. He believes that something further could be done.

Chair Sippel thanked Planner Williams for his presentation and then called for questions or comments.

Comment: Carl Bloomfield said he is very familiar with this project because he was the one that engineered it through Final Plat back in 2006. He said he is not involved with the current owner, so he doesn't have a conflict, but he said he does know a lot about the site. He said that he agrees with Staff about the flat lot in the northwest corner. He said that would be a difficult lot to sell. He said everything drains to the northwest corner. He said it would make sense to him that they would take all of that drainage that is there between 16 and 17 and push it to the back to give more of a useful Open Space back there on Lot Number 2. He said there is some drainage that comes off of Germann and will need to be retained or piped to that retention basin. He said if another lot is placed between 16 and 17 and you still have that retention basin out on the front, that really is for the benefit of the Town (for Germann) and it would remain a nice welcoming Open Space for this development. He said it is a constrained site and he is pleased to see it come forward for development.

Comment/Question: David Cavenee said he agrees on the site drainage issues. He said there is a lot of work to do in that area. He said he likes having the green front door on Germann. He said Commissioner Bloomfield had stated this suggestion well. He asked to clarify what the remaining two deviations were.

Answer: Nathan Williams said the two deviations were lot size and a request to develop 1-story homes only.

Question: David Cavenee also asked to clarify that if they allowed this to go to SF-10, these would be the only two deviations requested.

Answer: Nathan Williams answered affirmatively.

Comment: David Cavenee said he considered both deviations a benefit. He said he was struggling with some of the original requested deviations. He said he is in favor of these two, but would have a problem with adding any of the other originally requested deviations. He said he is in support of the project.

Question: Joshua Oehler asked Commissioner Bloomfield if the site was SF-15 when he had taken a look at the site back in 2006.

Answer: Carl Bloomfield said it was SF-15. He said they rezoned it to SF-15. He said the reason why the retention was in that corner, was that there was a grouping of large salt cedar trees that have since been removed. He said the developers really wanted to keep that and retain that because it was the only distinguishable feature on the whole site. Otherwise, it was just a flat piece of dirt. Because they wanted to keep that feature, they wanted to force the water up in there, but since they have removed the feature, it doesn't work with the land and the existing sloping to put it to the northwest corner. He said it wasn't a good idea to force the retention uphill.

Comment/Question: Joshua Oehler said he wasn't overly concerned with the change in zoning, but he noted that the surrounding neighborhood has much larger lots. He said the original design was much more of a transition from the R-43 use to this one. He said although they are still pretty large lots, he wanted input as to why the decision was being made to add a few more lots. He asked if it was a financial decision to go from 16 to 23 lots.

Answer: Nathan Williams said he could get that answer from the applicant, but he imagined it was a financial decision.

Chair Sippel called for any additional comments or questions. Seeing none, he thanked Nathan Williams and recessed the Study Session at 6:03 p.m. He indicated that they would take a 5-minute break and then come back and begin the Regular Meeting of the Planning Commission.

---

Chair Sippel called the Study Session back to order at 7:32 p.m.

**6. ST17-1003, SOMERSET PHASE 1: THREE NEW STANDARD PLANS (1, 2, 3) BY THE NEW HOME COMPANY ON LOTS 1-53, GENERALLY LOCATED AT THE NEC OF S. SOMERSET BLVD AND E. BONANZA RD. AND ZONED SINGLE FAMILY -10 (SF-10).**

Before Ashlee MacDonald began her presentation on ST17-1003, Greg Froehlich declared a conflict of interest.



Planner MacDonald began her presentation on ST17-1003, Somerset Phase 1. She indicated that she was presenting on behalf of Bob Caravona. She said the request was for three new standard plans by the New Home Company on 53 lots. The lots are located at the northeast corner of Somerset Boulevard and Bonanza Road. She said the site is zoned Single Family – 10 (SF-10). She said that Staff is very pleased with the project, but they are looking for input from the Commission to go ahead and proceed with Administrative Approval, since this case will not require a Public Hearing. She stated that the site is southeast of the southeast corner of Pecos and Greenfield Road. She pointed out the area designated in red indicated the portion of the Somerset Plat that they were discussing. She said the Preliminary Plat had been approved in August. She said the site is conventionally zoned SF-10. She said the lots are oversized at about 13,000 square feet. She said they require the 3' stagger, but because they are oversized lots, they have no problem meeting that stagger requirement. She said they are proposing three standard plans. She said what is unique about this project, is that they have a second floor option, as well as a basement option. She said although there are three standard plans with four elevations, the second floor option really makes it seem like there is quite a variety of models provided.

Planner MacDonald shared the elevations, noting that they are doing Spanish, Desert Prairie, French Country and Farmhouse. She said the houses range in size from 4,118 to 4,292 square feet with a second story or basement option. All of the homes have 3- and 4-car garages. She said some of the garages are front loading and some of the garages are side entry. She shared the product matrix, noting that they offered quite a variety of homes. She also shared the colors and materials matrix. She said they are offering quite a variety of materials within each of their elevations. She said they have provided different roof tiles for the different elevations. She said that the applicant had provided a sample of all the color and materials for the Commission to look at, if they chose to do so. She said the applicant had really raised the bar on their offerings. She referred back to the elevations, noting that the applicant had provided unique roof forms, varying window patterns, and architectural treatments that really differentiate each of the elevations. She said that Staff didn't have any concerns with moving forward with this project. She said that Staff just hoped to get input from the Commission and receive direction to proceed with Administrative Approval.

Chair Sippel thanked Planner MacDonald and asked for comments or questions. Seeing none, he stated that it was always nice to see larger homes and larger lots coming into Gilbert.

Comment: David Cavenue said that he agreed with Staff's assessment that the applicant was doing a great job with the plans.

**8. DR17-1007, LDC TEXT AMENDMENT BATCH G: DISCUSSION OF AMENDMENT TO THE TOWN OF GILBERT LAND DEVELOPMENT CODE, CHAPTER I ZONING REGULATIONS, DIVISION 1: GENERAL PROVISIONS, DIVISION 2: LAND USE DESIGNATIONS, DIVISION 3: OVERLAY ZONING DISTRICTS, DIVISION 4: GENERAL REGULATIONS, DIVISION 5: ADMINISTRATION, AND DIVISION 6: USE DEFINITIONS; CHAPTER II DESIGN STANDARDS AND GUIDELINES; CHAPTER III: SUBDIVISION**

**REGULATIONS, GLOSSARY OF GENERAL TERMS, APPENDIX 1:**  
**GRAPHICS AND THE TOWN OF GILBERT ZONING MAP.**

Planner Amy Temes began her presentation on DR17-1007, LDC Text Amendment Batch G, noting that these items are related to the Phoenix Mesa Gateway Airport. She said they have already gone over some of the items listed in Batch G. She indicated that the items that had previously been discussed before the Commission were shown in a light peach color. She said at tonight's meeting, they would be talking about the Phoenix Mesa Gateway Overlay District. She said that in February of 2017, the Gateway Airport approved their new Airport Land Use Compatibility Plan (ALUCP). They have requested that local governments around the airport adopt the ALUCP regulations and bring them into their LDC. She said that Staff has not modified or deviated from the plan in any way, so what is before the Commission tonight, is what came out of their approved regulations.

Planner Temes discussed the Airport Overflight Area (AOA) within the Town of Gilbert. She shared the three areas:

AOA 1 – corresponding to the area exposed to long-term future noise of 65 and higher DNL.

AOA 2 – corresponding to the area exposed to long-term future noise of 60 to 65 DNL.

AOA 3 – generally corresponding to the area covered by dense, low-altitude flight tracks, the outer edges of the traffic pattern area, a majority of noise complaint locations, and the FAA-defined wildlife attractant separation area. The boundaries are squared off to follow established geographic boundaries, such as road centerlines and section and quarter-section lines. The outer boundary of AOA 3 defines the updated Airport Planning Area, which is considered the “airport influence area” for purposes of compliance with State law.

Planner Temes shared a map that showed the current Airport Overlay District, noting the location of the three zones. AOA 1 was shown in red, AOA 2 was shown in a dark yellow/orange and AOA 3 is shown in green. She then provided the new Airport Overlay District. She said that the Commission will note that the area covers a lot more land than it did previously. She said that AOA 1 and AOA 2 have decreased substantially, but AOA 3 has increased by over 13,000 acres. She said AOA 3 now goes down into South Gilbert. She said that previously they drew lines on the quarter section, but now they are not using quarter section lines. Now, if the Airport Noise Overlay District touches a square mile, they are taking in the whole square mile. This new philosophy has increased the area quite significantly. Planner Temes then discussed the area that each of the three zones covered.

Planner Temes then shared the noise sensitive land uses that are currently impacted by the airport:

- Single Family Residential
- Multi-Family Residential (including Lofts)
- Hospitals

- Nursing Homes/Congregate Living
- Place of Worship
- Libraries
- Schools (Elementary, Secondary, Colleges, Universities and Trade Schools)
- Day Care Centers

Planner Temes then shared the new noise sensitive land uses that may be restricted depending on the AOA, noting that not all of the uses being added have to do with noise.

- Mobile Home/RV parks (Recreational Vehicle Park)
- Other Residential (Loft)
- Hotel/Motel (Hotels and Commercial Lodging)
- Retail sales, Building Material and Home Improvements Sales and Services, Farm Equipment, Automotive, Marine, Mobile Homes Recreational Vehicles and Accessories
- Restaurants (Eating and Drinking Establishments)
- Personal Services
- Entertainment & Recreation Indoor
- Entertainment & Recreation Outdoor
- Museums and Galleries
- Clubs and Lodges
- Theaters/Concert Halls/Performing Arts Centers (Banquet Halls)
- Outdoor Sporting Events/Public Assembly (Convention Center)
- Processing of food, wood and papers products
- Printing and Publishing Warehouses/storage of hazardous materials
- Manufacturing of Electronic Components
- Manufacturing of stone, clay, glass, leather, gravel and metal products
- Salvage Yards
- Natural resource extraction and processing
- Mills and Gins
- Transportation Terminals
- Utility and communication facilities
- Parks

She also shared that land uses within AOAs 1, 2 and 3 are separated into four categories, which further determines the degree of mitigation required:

- **Compatible (C)** – use can be allowed.
- **Conditionally Compatible (CC)** – use should be allowed subject to stated conditions.
- **Marginally Compatible (MC)** – use should be allowed subject to noise reduction and conditions.

- **Incompatible (I)** – use should be avoided.

Planner Temes indicated that she had spoken with Tony Bianchi at the Phoenix Mesa Gateway Airport and he stated that he would be more than happy to come and answer any technical questions that the Commission. She shared some of the changes that have occurred due to this change. She stated that currently, if you are in AOA 1 and are a noise sensitive use, you are prohibited. With the new changes, they have listed varying degrees of compatibility. She said this has added a bit of flexibility that they didn't have previously, but pointed out that they also added in a hazardous materials category that are restricted, that weren't in place previously. She then discussed additional changes in AOA 2 and AOA 3.

Planner Temes then discussed another change related to CFR 14, Part 77. She said this change refers to the Preservation of Navigable Airspace. She said standards for safety of airspace are required by federal law. She said these relate to flight approaches and height. She shared a list of these areas:

- Penetrating Height – objects hazardous to navigation
- Glint and Glare – highly reflective materials causing flash blindness in pilots
- Lighting systems – lasers, search lights, etc.
- Sources of dust, smoke, water vapor – impacts pilot and air traffic controller vision
- Electromagnetic Interference – disrupt aircraft instruments and ground-based radar
- Thermal Hazards – visual hazard and causes turbulence
- Bird Attractants – waste disposal / water management facilities, lakes

Planner Temes then shared more details about the CFR 14, Part 77, noting the line of the flight patterns. She then shared the approach and take-off patterns of the airport. She pointed out that the different colors reflect height limits. She said that within the Town of Gilbert, the colors that impact Gilbert are from 66' and higher. She told the Commission that they would place the information about CFR 14, Part 77 into the LDC so it is very clear. She then discussed some new areas that were impacted by the changes to Bird Attractants and briefly discussed mitigation related to Bird Attractants.

Question: Brian Johns asked if the changes involving Bird Attractants impacted the Riparian.

Answer: Amy Temes answered affirmatively that it does impact the new Regional Park and the Riparian and several other water bodies within the Town of Gilbert. She said they will need to reach out to the airport to discuss some of those bodies of water.

Planner Temes finished her presentation by saying that they were not trying to rewrite or recreate what has been approved by the airport, but they are trying to read and understand it and implement it, so they can address the Town of Gilbert Code to help match it and to conform with it. She said that Staff hoped to continue working on Batch G and hoped to have the changes before the Commission by December or January. She offered to invite Mr. Bianchi to a Planning Commission meeting if the Commissioners would like her to do so.

Comment: Joshua Oehler shared that he had been part of the Study Group relating to these changes. The group consisted of representatives from many different cities and towns. He indicated that he would think it helpful to invite Mr. Bianchi to address the Commission, specifically about the Bird Attractants, as he didn't remember that being discussed in the Study Group.

Question: Joshua Oehler asked about the AOA 2. He said he remembered a discussion about outdoor dining. He asked if the restriction for outdoor dining establishments had been excluded, noting that the Town has many restaurants in the area.

Answer: Planner Temes said that there is a very limited amount of AOA 2. She said she did not recall a specific restriction regarding outdoor dining. She said this was something they would have to discuss. She said with a noise decibel of 60 to 65, it would be very uncomfortable to sit outside on a regular basis and try and hold a conversation.

Chair Sippel thanked Planner Temes for staying through the long meeting.

### **ADJOURN STUDY SESSION**

Chair Sippel adjourned the Study Session at 7:57 p.m.

---

Kristofer Sippel, Chairman

ATTEST:

---

Debbie Frazey, Recording Secretary